Local Mandate Fiscal Impact Estimate Kentucky Legislative Research Commission 2016 Regular Session

Part I: Measure Information

Bill Request #: 1048
Bill #: SB 5 SCS
Bill Subject/Title: An Act relating to marriage licenses.
Sponsor: Sen. Stephen West
Unit of Government: City x County x Urban-County Unified Local x Charter County x Consolidated Local x Government
Office(s) Impacted: County Clerks
Requirement:x Mandatory Optional
Effect on Powers & Duties:x _ Modifies Existingx _ Adds Newx _ Eliminates Existing

Part II: Purpose and Mechanics

SB 5 SCS retains a provision removing the required signature of the county clerk and makes other provisions as described and listed below.

The SCS provides for the option of using either of two forms of the marriage license. One identifies the marrying couple as "bride and groom" and the other identifies them as "first and second parties".

The SCS also requires modifications of the form(s) and makes requirements for additional information as follows:

- "Persons" is changed to "parties";
- "Gender" is added as a form entry requirement;
- The form(s) now require a signed statement by both parties swearing that the information provided is correct to the best of their knowledge;
- Presently required signatures by the county clerk are removed; and
- "The date and place **the license is issued**" form entry requirement is replaced by "The date and place **the application was made.**"

On the marriage **certificate** portion of the form(s), in addition to the **signature** of the person conducting the marriage, the form now requires that the name be **printed**;

The form(s) **certificate** requirement for:

"A signed statement by the county clerk or a deputy county clerk of the county in which the license was issued that the marriage certificate was recorded. The statement shall indicated the name of the county and the date the marriage certificate was recorded."

is replaced with:

"A signed statement indicating that the marriage certificate was recorded in the county in which it was filed. The statement shall also include the title of the county clerk or deputy clerk of the county in which the certificate was filed and indicate the date the marriage certificate was recorded."

Finally, SB 5 SCS removes the requirement that a Social Security number be provided by the parties and recorded with the Cabinet for Health and Family Services agency responsible for child support enforcement.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact on local governments will be nil to minimal. Some minor administrative procedural adjustments will need to be made. However, the content of the forms (by statute) are provided and "prescribed by the Department for Libraries and Archives".

Data Source(s): Kentucky Association of Counties; Kentucky County Clerk's Association; Leslie County Clerk's office

Preparer: H. Marks Reviewer: JWN Date: 2/15/16